

# **EXHIBIT 59**

Letter dated November 4, 1939 to Roy W. Stoddard,  
Special Assistant to Attorney General, from Norman M. Littrell,  
Assistant Attorney General

(Car. copy of this letter sent to Stoddard,  
725 U. S. National Bank Building, Denver, Colorado.)

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November 4, 1939.

Roy W. Stoddard,  
Special Assistant to the  
Attorney General,  
P. O. Box 2229,  
Reno, Nevada.

Dear Mr. Stoddard:

Re: United States v. Walker River  
Irrigation District, et al.,  
District Court of the United  
States for the District of  
Nevada.

This will acknowledge receipt of your letter of  
October 30, 1939, in regard to further proceedings in the  
above-entitled case, and enclosing two copies each of the  
following:

1. Writ of Mandate;
2. Letter dated October 25, 1939, to Miles N.  
Pike, United States Attorney;
3. Letter dated October 30, 1939, to Otto Benham;
4. Letter dated October 26, 1939, from E. W.  
Kronquist.

This will also acknowledge receipt of your tele-  
gram of October 31, 1939, in reply to the Department's  
telegram of the same date, advising of the continuance of  
the hearing on plaintiff's motion for filing the mandate  
which had been noticed for November 6, 1939.

There is enclosed herewith a copy of a letter dated  
November 1, 1939, from Assistant Secretary Chapman, in which  
two suggestions are made with respect to changes in the amended  
decree proposed to be entered pursuant to the writ of mandate  
of the Circuit Court of Appeals. Defendants probably will

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not object to the amendment suggested in the second paragraph of the Assistant Secretary's letter, but the second suggestion contained in the third paragraph presents a matter not strictly within the writ of mandate issued by the Circuit Court of Appeals. There is also enclosed a copy of a memorandum dated October 29, 1939, prepared by S. J. Flickinger, Assistant Chief Counsel, Indian Irrigation Service, upon which the letter from the Assistant Secretary was presumably based. Apparently, the concern of the Interior Department is the opening sentence in Paragraph XII which provides that "this decree shall be deemed to determine all of the rights of the parties to this suit and their successors in interest in and to the waters of the Walker River and its tributaries". It probably would satisfy the Interior Department if it would be possible to amend Paragraph XII by inserting a statement excepting the undetermined storage rights of plaintiff.

The Department would like to have your views and recommendations in regard to the suggestions proposed by the Assistant Secretary before a definite reply is made to his letter by this Department. The indefinite continuance of the hearing should give us ample opportunity to consider the suggestions contained in the Assistant Secretary's letter.

A copy of your letter of October 30, 1939, together with copies of its enclosures, is being transmitted to the Department of the Interior for its information and files.

Respectfully,  
For the Attorney General,

NORMAN M. LITTELL,  
Assistant Attorney General.

Copy sent to

725 United States National Bank Building  
Denver, Colorado

Enc # 65580